

1 THE HONORABLE RICARDO S. MARTINEZ
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CITY OF ISSAQAH, a municipal
11 corporation,

12 Third-Party Defendant,
13 v.

14 ORA TALUS 90, LLC, a Delaware limited
15 liability company; and RESMARK
16 EQUITY PARTNERS, LLC, a Delaware
17 limited liability company,

18 Defendant.

19 ORA TALUS 90, LLC, a Delaware limited
20 liability company; and RESMARK
21 EQUITY PARTNERS, LLC, a Delaware
22 limited liability company,

23 Third-Party Plaintiffs,
24 v.

25 TERRA TALUS LLC, a Washington
26 limited liability company; ELEMENT
RESIDENTIAL INC., a Washington
corporation; JOSHUA FREED, an
individual; TERRA ASSOCIATES, INC., a
Washington corporation; J.R. HAYES &
SONS, INC., a Washington corporation;
TALUS MANAGEMENT SERVICES
LLC, a Washington limited liability
company; and TALUS 7&8, LLC, a
Washington limited liability company,

27 Third-Party Defendants.
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No. 18-cv-000910 RSM

29 STIPULATION AND ORDER RE-
NOTING JR HAYES & ASSOC., INC.'s
MOTION FOR SUMMARY JUDGMENT
AGAINST ORA TALUS 90, LLC,
RESMARK EQUITY PARTNERS, LLC
AND TERRA TALUS, LLC

30 STIPULATION AND ORDER- 1

I. STIPULATION

2 1. JR Hayes, Inc. timely filed a motion for summary judgment (“JR Hayes SJM”)
3 against ORA Talus 90, LLC, Resmark Equity Partners, LLC (hereinafter collectively ORA Talus)
4 and Terra Talus LLC.

5 2. The JR Hayes SJM is noted for June 25, 2021.

6 3. The parties stipulate and agree to request leave of the Court to renote the JR Hayes
7 SJM one week later, Friday, July 2, 2021, and to move the parties' briefing dates to conform to the
8 new noting date.

9 4. The reasons for the request are that ORA Talus's local counsel has had to travel out
10 of town due to a death in the family, and ORA Talus and JR Hayes are pursuing discussions
11 regarding the potential resolution of the summary judgment motion and/or the claims between
12 them.

13 5. A summary judgment motion brought by another party in the case is already noted
14 for July 2, 2021, and the one-week extension will not affect other dates in the Court's pre-trial
15 order.

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17 THOMSEN LLP

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23 *ORA Talus 90, LLC and Resmark Equity*
24 *Partners, LLC*

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STIPULATION AND [PROPOSED] ORDER GRANTING REQUEST TO REMOTE SUMMARY JUDGMENT
HEARING DATE - 2

1 BROWN WHITE & OSBORN LLP
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11 Resmark Equity Partners, LLC

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32 STIPULATION AND [PROPOSED] ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT
33 HEARING DATE - 3

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12 *Talus 7 & 8, LLC, and Talus Management Services LLC*

9 ORDER

10 Based on the above stipulation of the parties, the Court grants the stipulated request to re-
11 note the JR Hayes summary judgment motion to July 2, 2021 and to adjust the parties' briefing
12 schedule according.

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14 DATED this 21st day of June, 2021.

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RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

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20 Presented by:

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STIPULATION AND [PROPOSED] ORDER GRANTING REQUEST TO RENOTE SUMMARY JUDGMENT
HEARING DATE - 4